

INTRODUCTORY COMMENTS

1. Claims 1-13 and 15-18 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by Trossen et al [20030212764] (hereafter “Trossen”).
2. Claims 14, 19 and 20 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Trossen in view of Wu et al [2003021809] (hereafter “Wu”).

REMARKS

I. THE CITED REFERENCE CANNOT SUSTAIN A § 102 REJECTION OF THE INDEPENDENT CLAIMS 1, 8, AND 15

The Examiner rejected Claims 1-13 and 15-18 based on Trossen under 35 U.S.C. § 102. Under 35 U.S.C. §102, the prior art must disclose each and every claim element for an invention to be anticipated by prior art. *Constant v. Advanced Minor-Devices, Inc.*, 848 F. 2d 1560 (Fed. Cir. 1988). All claim limitations of the invention must also be considered in determining patentability. *Hewlett-Packard Co. v. Bausch & Lomb, Inc.*, 909 F. 2d 1464 (Fed. Cir. 1990). Almost is not enough; the prior art must disclose all the elements. *Connell v. Sears, Roebuck & Co.*, 722 F. 2d 1542 (Fed. Cir. 1983).

Accordingly, the absence of any claimed element negates anticipation under §102.

A. Trossen Is Not An Anticipating Reference

Trossen provides for one content source providing media content to handoff to a second content source when a mobile terminal moves from one domain to another. The Examiner claims that Trossen discloses all the claimed elements in the application. The Applicant respectfully disagrees.

Trossen never uses the phrase “trusted entity” anywhere in its specification to describe any device, router or element. There is absolutely no teaching, disclosure, or suggestion that the “content sources” identified by the Examiner constitute “trusted entities.” As such, Trossen does not disclose a trusted entity as claimed.

Trossen’s content source does not teach replacing an address in the address header of an information packet with an address for the communication pinhole. This router function is not disclosed, taught or suggested in Paragraph 007 of Trossen. Trossen also does not “allow” information packets to be sent to a communication pinhole as should be

interpreted from the claims and understood in light of the specification. Trossen further does not disclose the creation of a pinhole request or creating a pinhole communication port in the firewall in response to the creation of a pinhole request. Trossen never discloses that the content source creates the pinhole. Concluding that Trossen teaches any these limitations requires using the invention in hindsight as a guide to read into the reference unsupported assumptions on how the IP path is configured and packets transmitted.

Because the content source in Trossen is not a trusted entity as claimed, Trossen cannot disclose, teach or suggest the actions of 1) receiving an information packet to be transmitted across the firewall, 2) replacing an address in the information packet's address header with a communication port address for a created pinhole, or 3) forwarding the information packet to a destination address across the firewall using the pinhole communication port address. Trossen also cannot teach, disclose, or suggest 1) possessing a routing table with the address designation for the pinhole communication port, 2) receiving a packet transmission at an input to be sent to a communication device inside the communication network, 4) placing the address designation for the pinhole communication port as the address header of the packet transmission, and 4) transmitting the packet transmission from the output to the pinhole communication port.

B. The Claims Are Not Anticipated

Trossen fails to teach, suggest, or disclose critical limitations found in the claims. Claim 1 requires 1) a trusted entity allowing information packets to be sent to a communication pinhole through the firewall to the communication device and 2) the trusted entity replacing an address in the address header of an information packet with an

address for the communication pinhole so the information packet can be transmitted through the pinhole to the communication device.

Claim 8 requires 1) receiving a create pinhole request at the trusted entity, 2) creating a pinhole communication port in the firewall in response to the create pinhole request, 3) receiving a first information packet at the trusted entity to be transmitted across the firewall through the pinhole, 4) replacing an address in the information packet address header information with a communication port address for the created pinhole, and 5) forwarding the information packet to a destination address across the firewall using the pinhole's communication port address.

Claim 15 requires 1) a trusted entity with an input and an output outside the communication network, 2) transmitting a signal with an address designation for the pinhole communication port from the communication network to the input of the trusted entity, 3) providing a routing table on the trusted entity with the address designation for the pinhole communication port, 4) receiving a packet transmission at the input of the trusted entity to be sent to a communication device inside the communication network, 5) placing the address designation for the pinhole communication port as the address header of the packet transmission, and 6) transmitting the packet transmission from the output of the trusted entity to the pinhole communication port. The claims are simply not anticipated by Trossen.

C. Conclusion


Because the identified content source is incapable of performing many of the identified claim elements in the invention, Trossen cannot be used to sustain a § 102 rejection. Since Trossen is the only cited reference for rejecting the independent claims,

independent Claims 1, 8, and 15 are believed allowable. Because the dependent claims add further limitations to the allowable independent Claims 1, 8, and 15, the Applicant believes the dependent claims are likewise allowable.

II. CONCLUSION

The amended claims are distinguishable from the teachings of the cited references. The Applicant believes that the arguments presented traverse the Examiner's 35 U.S.C. § 102(e) rejection. Independent claims 1, 8, and 15 are allowable because the Trossen reference fails to disclose, teach, or suggest a router able to function as claimed. Since the dependent claims add further limitations to the allowable independent claims, the Applicant believes the dependent claims are likewise allowable. Accordingly, pending claims 1-20 are believed allowable because the claimed invention is not disclosed, taught, or suggested by the cited reference.

It is believed that no additional fees are necessary for this filing. If additional fees are required for filing this response, then the appropriate fees should be deducted from D. Scott Hemingway's Deposit Account No. 501,270.

Respectfully submitted,

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